

Application No. 10/078,757 - - - - - 6

**Remarks**

Claims 1-8, and 11, 12, 14, and 15 are under consideration.

Claims 9, 10, and 13 have been cancelled without prejudice.

Claims 1, 5, and 12 have been amended.

**Summary of Phone Interviews With the Examiner.**

In further response to the Advisory Action dated May 6, 2005, Robert J. Ross, agent for Applicants, participated in a series of telephone interviews with Examiner Blanchard on September 13 and 14, 2005. Claims 1 and 5 were discussed in detail. The Examiner noted that claims 1 and 5, as amended in the Supplemental Response dated May 19, 2005, recited that the human heavy and light chains of the libraries have three CDR loops wherein at least one of the human CDR loops is replaced by a mouse sequence flanked by unaltered human framework residues. The Examiner also noted that all of the working examples in the application involved specifically replacing the human CDR3 loop with a mouse CDR3 loop. The Examiner was of the opinion that the full scope of the claims was not supported by the written description in the specification, since all of the examples specifically describe replacing a CDR3 loop. The Examiner suggested that amendment of the claims to specify that the human CDR3 loop is replaced by a mouse CDR3 loop would overcome this objection. While Applicants do not fully agree with the Examiner's assessment of the written description support for the claims 1 and 5, these claims have been amended as suggested by the Examiner in order to expedite issuance of this application.

The Examiner also initially indicated objection to the use of the term "humanized" in the preamble of the claims, as being inaccurate, since the Examiner considers the term "humanized antibody" to have a very specific meaning in the art, which is applied to antibodies in which all of the CDR loops are mouse loops. Applicants took the position that the term "humanized", as used in the art, is somewhat broader, and encompasses antibodies in which at least a portion of a mouse antibody is replaced by human sequences, which is consistent with the definition on page 8 of the specification.. Ultimately, the Examiner indicated that the term "humanized" would be acceptable, since the steps of the method described the antibodies sufficiently for one of ordinary skill in the art to understand the

Application No. 10/078,757 - - - - 7

structure of the antibodies produced by the claimed methods, the terminology used in the preamble of the claim notwithstanding.

Claim 12 has also been amended for consistency with the amendments to claim 5. Claims 9, 10, and 13 have been cancelled as being unnecessary in view of the amendments to claims 1, 5, and 12. All of the present amendments are fully supported by the examples in the specification. No new matter is added by these amendments.

Examiner Blanchard agreed to review a proposed set of amended claims, which was faxed to his attention on September 15, 2005. Applicants gratefully acknowledge the Examiner's helpful comments on the proposed claims. The present claims reflect those comments.

The amendments and remarks presented herein are deemed to overcome all rejections of the currently pending claims. Accordingly, Applicants respectfully request that all rejections be withdrawn and that the application be passed to issue.

Respectfully submitted,

Dated: 16 Sept 2005

By   
Talivaldis Cepuritis (Reg. No. 20,818)

OLSON & HIERL, LTD.  
20 North Wacker Drive  
36th Floor  
Chicago, Illinois 60606  
(312) 580-1180

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this SECOND SUPPLEMENTARY AMENDMENT AND RESPONSE, the accompanying PETITION, and the accompanying RCE are being transmitted by facsimile transmission to Fax No. 571-273-8300 on 16 September 2005.

  
Talivaldis Cepuritis (Reg. No. 20,818)